

1 STATE OF TENNESSEE
2 TENNESSEE EMERGENCY COMMUNICATIONS BOARD
3 DEPARTMENT OF COMMERCE AND INSURANCE
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8
9 BOARD MEETING

10 September 28, 2006

11 TRANSCRIPT OF THE PROCEEDINGS
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22 Cannon & Stacy
23 Court Reporters
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25 Reported by: Courtney Cross

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2 BOARD MEMBERS PRESENT
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4 Mr. Randy Porter, Chair
5 Mr. Charles Bilbrey, Member
6 Ms. Katrina Cobb, Member
7 Ms. Carolann Feathers, Member
8 Mr. Ike Lowery, Member
9 Mr. Freddie Rich, Member
10 Mr. Steve Smith, Member
11 Mr. Mike Taylor, Member
12
13 BOARD MEMBERS NOT PRESENT
14
15 Mr. Tom Beehan, Member
16
17 STAFF MEMBERS PRESENT
18
19 Ms. Lynn Questell, Esquire, Executive Director
20 Mr. Rex Hollaway, Director of Technical Services
21 Mr. J. Don Johnson, Auditor
22 Ms. Carolyn E. Reed, Attorney
23 Ms. Sandra Telford, Account Technician
24 Ms. Vanessa D. Williams, Assistant to the Executive Director
25

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1 CHAIR PORTER: This is the
2 January 28, 2006, meeting of the Tennessee Emergency
3 Communications Board. I would like to welcome each one of you
4 here.

5 MS. REED: That would be September,
6 instead of January.

7 CHAIR PORTER: Well, all right. What
8 did you all get for Christmas then? Let's rephrase that and
9 put that back to September 28th.

10 I would like to welcome each one
11 of our new board members that we have today.
12 Ms. Carolann Feathers -- it's nice to have you with us -- and
13 Mr. Steve Smith; the two newly appointed board members.

14 Let the record show that all the board
15 members are present, except for Mr. Tom Beehan. And with
16 that, we will get started with our agenda.

17 Our first item on the agenda is a
18 report from the Executive Director.

19 Lynn.

20 MS. QUESTELL: Thank you, Mr. Chairman.

21 I'd also like to welcome our new board
22 members. We're just delighted to have you.

23 Let the record show that the time we
24 are getting started is 7 after 9.

25 I did like to report, first, on the

1 status of wireless carrier deployment in Tennessee. The
2 following carriers are offering Phase II service throughout
3 their service areas in our state: Verizon, T-Mobile,
4 Sprint/Nextel, Cingular, Yorkville, Advantage, Eloqui, Triton,
5 Cricket, Alltel, and ClearTalk. Cingular is projecting that
6 its system will be fully integrated with AT&T's wireless
7 system in Tennessee by October 31st.

8 Next, the status of VoIP deployment.
9 Vonage is reporting that it has completed testing in about
10 70 percent of our state. Intrado is working closely with
11 Vonage and several other VoIP service providers. And TCS has
12 recently initiated testing efforts in three counties.

13 Our report on misroutes. Since the
14 June meeting, we have only received one report of a true
15 wireless misroute. And that's been addressed.

16 Reporting on the status of the
17 150K Essential Equipment Reimbursement Program. As of
18 September 26th, 45 districts have either been paid, or are
19 in the process of being paid. They've requested over 3.5
20 million total. Only two districts have requested the maximum
21 amount of \$150,000, thus far. Though, there are a few
22 districts that are down to a few thousand remaining on their
23 allocation. Fifty-seven districts have not initiated any
24 action towards requesting any of the \$150,000 funding
25 available for them. That's fine. It will be available to

1 them. It's theirs to ask for when they need it. But people
2 should just have cognizance of the availability of this fund
3 for the equipment.

4 I want to report on legislation for
5 increasing the penalty for making non-emergency 911 calls.
6 Last spring the Board directed Staff to start taking action to
7 try to increase the penalty from the lowest form of a
8 misdemeanor for people that are making non-emergency calls on
9 911. And we've entered into negotiations with the TML and the
10 Tennessee County Service Association.

11 I was basically told by our Deputy
12 Commissioner that nothing that increases jail time goes
13 anywhere unless everybody supports it because of the financial
14 impact that increased jail time has. And our discussions will
15 kind of center on the survey of non-initialized phones. The
16 county services people are really interested to see what kind
17 of problem, from the numbers standpoint, that we are looking
18 at. So we will continue discussing this with them.

19 I just wanted to report that we have
20 sent out the annual report to all of the districts, the
21 members of the General Assembly, and the appropriate people in
22 the office of the Governor. And we want to thank the folks
23 that were involved in getting that bound. We appreciate that
24 very much.

25 The VoIP service charge. I'm sure as

1 you all remember, at the very end of the last session of the
2 General Assembly our amendment which would impose a emergency
3 telephone service charge on VoIP and other emerging technology
4 capable of accessing 911 passed. We've been in process, since
5 then, of getting a full list of the names of companies that
6 would be impacted by that law. We wanted to roll out our
7 notice to them of the law at the same time so that no carrier
8 would be able to get a competitive advantage based on any of
9 our activities. So we have compiled that list. We were very
10 grateful that the revenue department shared one of their list
11 of telecom providers with us so we've cross-checked it. And
12 so we are about ready to roll out this notification letter.

13 I want to commend Vanessa and Duple for
14 their hard work. There's almost 600 companies that will
15 receive notice of this. And we will be ready to roll that out
16 within the next few days and it is contingent, in part, we
17 have a policy to kind of clarify how this will work with the
18 VoIP and when they can't tell who the user or subscribers are.
19 That will be farther down in today's agenda.

20 But we will send that policy out to
21 these people, if the Board adopts it. After they've received
22 the notification letters, the law gives the providers 60 days
23 from receipt of the notification to start remitting the
24 service charge. So that's when we should start looking at
25 having additional funds from VoIP and other such providers.

1 I want to report on Operations Advisory
2 Committee. It's going to be holding a meeting at the TENA
3 Conference in Gatlinburg. On the agenda will be standards for
4 backup PSAPs and local contingency plans. And it may have
5 some recommendations to report to the Board at the next
6 meeting, which is scheduled for October 31st.

7 If the Board has no objection, I would
8 like to clarify, on the record, that for purposes of the Open
9 Meetings Act, Rex Hollaway is not a member of this committee,
10 but is only its facilitator. It's very hard to lead and be
11 organized with a committee -- as I have personal experience
12 with -- and also move it ahead. So it would be -- we just
13 want to clarify, on the record, that you all have no
14 objection. There was some confusion at the meeting -- when
15 the Operations Committee was created. And we just want to
16 clarify the record.

17 Do you all have any objections?

18 (Pause)

19 MS. QUESTELL: I would like to then
20 report on the Funding Committee. It has met six times since
21 it was created last January. It's been considering specific
22 proposals to provide additional wireless funding to the
23 districts. At its last meeting, on August 31st, it appeared
24 that the members had a consensus on agreeing to the Staff's
25 proposal. So they might have additional questions and

1 modifications that they might be making to that proposal, but
2 they wanted to explore that at the next meeting -- which is
3 October 4th. We've sent out the notices. They've scheduled
4 it on October 4th so that they could know what the Board's
5 decision would be on the NG-911 issue that the Board is
6 considering today. So we should plan on having a
7 recommendation from the Funding Committee to present to the
8 Board at the October 31st meeting.

9 I also wanted to mention that
10 Williamson County Emergency Communications District is
11 planning to file a petition with the Tennessee Regulatory
12 Authority seeking clarification or enforcement of a TRA
13 regulation that requires local exchange carriers to, quote,
14 provide a mutually agreeable means of auditing the subscriber
15 base by number and type, by the ECD auditor, end quote. And
16 I'm told that they are welcoming other districts that are
17 interested in becoming parties to this action. It's an action
18 to kind of clarify a part of the TRA regulations that have
19 really not been used, to speak of.

20 I also wanted to update you on one of
21 the appeals of the FCC's order on the 911 VoIP deployment. If
22 you remember, last year there was so much controversy about
23 the timeline that the FCC had imposed on VoIP carriers to
24 implement 911 Nuvio had appealed that and they had oral
25 argument last week. And their argument is that the deadline

1 that the FCC put on their deployment was unreasonable. And
2 they say that the FCC's requirement that providers of nomadic
3 VoIP services to establish direct connections with the
4 dedicated E-911 network, without any corresponding duty on the
5 part of carriers operating the network to permit such
6 connections, was arbitrary and capricious. There's no
7 guarantee that there will be a quick order from the Court of
8 Appeals on that, but at least they've heard our oral argument.

9 The status of the Federal 911-related
10 legislation: It's still a political football, they are just
11 going back and forth with it. The last thing I heard is, that
12 even though at this point it appears that the House and the
13 Senate's versions are 95 percent similar that in conference
14 committee, people in the House of Representatives are trying
15 to keep this from coming together because they want to kind of
16 hold the 911 that's connected to this COPE Act that it is a
17 part of in the House. Because the COPE Act has provisions
18 that are aiming to create a national franchise for video
19 providers -- right now they have to do it locally -- and the
20 bill would provide for a national franchise. And the big
21 House bill, also, addresses network neutrality, which would
22 apparently would allow IPs to charge different rates for how
23 quick your service is, and it also addresses municipal
24 broadband. So they are trying to keep all of this together,
25 instead of moving the 911 forward on its own.

1 So with that, that's my report.

2 CHAIR PORTER: Any questions of Lynn,
3 on any of the items she brought up?

4 MS. QUESTELL: One more thing. I
5 skipped it, and it's a important thing or I wouldn't interrupt
6 you. Sorry.

7 I wanted to make sure that everybody
8 knows that Staff is planning on drafting a petition to the FCC
9 to address the issue of non-initialized harassing 911 phone
10 calls. After we get the October 31st board meeting over with
11 we are going to try to draft that petition.

12 We would very much ask the Districts to
13 help us with the counting form that we've sent out to you all.
14 It's very been clear that the FCC is very moved by actual
15 facts. That's what made them move on the VoIP order. And we
16 would like to have real data for them in our brief that will
17 show them what a tremendous problem the harassing 911 phone
18 calls are from non-initialized phones. So we've sent out, to
19 every district, a form that we would ask the directors to copy
20 and make available to the dispatcher so every time they get
21 one of those calls -- or multiple calls -- that they are
22 keeping track of it for us. We are only asking you to keep
23 track of it from October 1st to December 31st.

24 Michigan is doing the same thing. And
25 when we go to Indiana to the National Association of 911

1 Administrators Meeting, we are going to try to get other
2 states to participate. I mean, the more states we have, the
3 bigger profile we will have.

4 This is a big problem that needs to be
5 addressed, and we all know that. And if everybody could kind
6 of help us get our data together, we'll have so much of a
7 better chance to move this ahead. Thank you.

8 CHAIR PORTER: The first action item
9 that we have on our agenda this morning is to consider
10 amending Policy No. 11 to provide that all increases to
11 landline service charges approved by the TECB extend for three
12 years from the date of approval, unless otherwise stated.

13 Lynn, you want to talk about that one,
14 too?

15 MS. QUESTELL: Yes. Thank you.

16 If there are no objections, actually I
17 would like to combine the first and second action items
18 because they are very closely related.

19 Staff would ask the Board to amend
20 Policy 11 so that it goes without saying that rate increases
21 will last for three years unless the Board specifies
22 otherwise. If the Board adopts this policy, we would ask that
23 the Board retroactively apply it to the rate increases that
24 were approved during the June meeting for Bedford, Perry, and
25 LaFollette. Because the record doesn't show that they

1 actually have an end date.

2 The three-year time is what the Board
3 usually imposes anyway. I think it's a good practice. Three
4 years is sufficient time to see the effect of the rate
5 increase and for districts to determine whether they want an
6 extension. And having an official established timeline would
7 just streamline the process and provide predictability for the
8 districts and avoid situations like at the last meeting, when
9 we neglected to put a timeline on it.

10 I would ask Carolyn, our general
11 counsel, to read the policy into the record.

12 MS. REED: This is for Modifications to
13 Service Charge, Policy No. 11: Any rate increases granted by
14 the Tennessee Emergency Communications Board pursuant to
15 Tennessee Code Annotated 7-86-304 and 7-86-306(a)(11), shall
16 be subject to modification by the Board at any time. Such
17 modifications may include, but are not limited to, imposition
18 of an expiration date, reduction of the amount by which such
19 rates were increased, and/or reversal of the rate increase.
20 Unless states otherwise or subsequently modified, the length
21 of rate increases and rate increase extensions shall be three
22 years from the date of approval.

23 CHAIR PORTER: You've heard the reading
24 of the policy amendment and Staff's recommendation, do I hear
25 a motion?

1 MEMBER TAYLOR: So moved.

2 CHAIR PORTER: Do I have a second?

3 MEMBER COBB: Second.

4 CHAIR PORTER: I have a motion by

5 Mike Taylor and seconded by Ms. Katrina Cobb that we approve

6 the amendment of Policy No. 11. Any discussion?

7 (Pause)

8 CHAIR PORTER: Hearing none, all in

9 favor say "aye."

10 THE BOARD: Aye.

11 CHAIR PORTER: All opposed, like sign.

12 (Pause)

13 CHAIR PORTER: Motion carried.

14 On item number 2, let's clarify the

15 length of the rate increases of the June 22, 2006, meeting --

16 Bedford, Perry, and LaFollette ECDs, that they meet this same

17 policy on the three years. Do I hear a motion?

18 MEMBER LOWRY: So moved.

19 MEMBER RICH: Second.

20 CHAIR PORTER: So Freddie, I heard him

21 first. So I have a motion by Mr. Lowry and second by

22 Mr. Rich that we approve these three districts to fall under

23 that same policy amendment. Is there any discussion?

24 (Pause)

25 CHAIR PORTER: Hearing none, all in

1 favor say "aye."

2 THE BOARD: Aye.

3 CHAIR PORTER: All opposed, like sign.

4 (Pause)

5 CHAIR PORTER: Motion carried.

6 MS. QUESTELL: May I just add one more
7 thing, Mr. Chairman?

8 CHAIR PORTER: Yes.

9 MS. QUESTELL: This would not apply to
10 financially distressed districts, which they're under the
11 supervision and evaluation of the Board and their rate
12 increases last until the Board says they don't. Basically
13 that's been the policy. And that's consistent with the way
14 the law is.

15 CHAIR PORTER: Next item is to consider
16 revising the revenue standards to eliminate the requirement
17 that ECDs possess one year's operating expenses before
18 investment of 911 funds in emergency notification systems is
19 permissible.

20 Do you want to talk about this, too,
21 Lynn?

22 MS. QUESTELL: Yes. Thank you,
23 Mr. Chairman.

24 The current version of the 911 revenue
25 standards requires districts to have a minimum cash reserve of

1 one year's operating expenses before investing in emergency
2 notification systems, such as reverse 911. These notification
3 systems have proven to be a great resource tool to alert
4 responders and the general public of eminent danger like
5 tornados or hazardous spills. And the revenue standards are
6 imposing a burden that we don't really impose on any other
7 type of technology. And what Staff is basically just asking
8 is that you just remove that one portion that might be an
9 impediment for investment and for reverse 911 or emergency
10 notification systems.

11 We would recommend that the Board amend
12 paragraph 30 of the permissible uses of 911 revenue in the
13 Revenue Standards to read as follows: The following items may
14 be expended by an Emergency Communications District,
15 regardless of the source of revenue. Number 30: Capital cost
16 for emergency notification systems, for example, reverse 911,
17 used to perform broadcast of public warnings issued by various
18 government agencies. Emergency Communication Districts that
19 are not financially distressed and have completed all
20 necessary equipment upgrades and purchases for Phase I and
21 Phase II data retrieval may use their revenues for the
22 purchase or enhancement of emergency notification systems.
23 And ECDs may also participate in Federal grant programs
24 through advanced coverage of NOAA Weather Radio in unserved
25 rural areas provided that any ECD's funds used toward this

1 effort are completely recovered through the grant.

2 CHAIR PORTER: You've heard the request
3 of Staff to amend the Revenue Standards and to allow
4 expenditures on emergency notification systems. Do I hear a
5 motion?

6 MEMBER COBB: So moved.

7 MEMBER LOWRY: Second.

8 CHAIR PORTER: Motion by Ms. Katrina,
9 seconded by Mr. Lowry that we approve it. Is there any
10 discussion?

11 (Pause)

12 CHAIR PORTER: Hearing none, all in
13 favor say "aye."

14 THE BOARD: Aye.

15 CHAIR PORTER: All opposed, like sign.

16 (Pause)

17 CHAIR PORTER: Motion carries.

18 Next item is to consider the policy to
19 clarify emergency telephone service charges on VoIP.

20 Lynn.

21 MS. QUESTELL: Thank you.

22 This is the policy that I mentioned
23 earlier in the Director's report. After the legislation
24 making all users and subscribers of VoIP and other
25 non-wireline technology subject to the 911 service charge came

1 out, we were contacted by some VoIP providers that were
2 concerned because the way they billed and the way their
3 technology was, they would not really be able to tell who
4 their users and subscribers were. And Carolyn, primarily, did
5 the negotiating on this. I would ask for her to explain and
6 read the policy.

7 MS. REED: In general, what the
8 providers said was that they could not always tell how many
9 users or subscribers were associated with a particular VoIP
10 account. This is particularly true in commercial settings
11 where they might just sell like what they call a "pipeline of
12 service" -- a VoIP service. And today, you know, the company
13 may have 50 employees, and tomorrow it may have 100 employees.

14 And so, the way the legislation is
15 written, it says that the charge is applied to each user and
16 each subscriber. And they just didn't know how to apply that
17 charge. And so what they explained to us is the way they sell
18 their service is that they will price it based on what they
19 call a "concurrent call volume," and that's how many lines can
20 call out at the same time. And that's really what would
21 impact the district.

22 So if the company has a concurrent call
23 volume of 100, then if there's an emergency, 100 people could
24 pick up the phone and call at the same time. And so this
25 policy would just clarify that, you know, if they're not just

1 selling VoIP service to one user -- say in a residential
2 setting, if they don't know how many users and subscribers
3 they have, then this policy would apply. And let me read you
4 the policy.

5 Application of Emergency Telephone
6 Service Charge to VoIP service: Effective July 1, 2006, all
7 users and subscribers of voice-over-internet-protocol service
8 are subject to the emergency telephone service charge. The
9 Tennessee Emergency Communications Board understands that
10 VoIP providers may be unable to determine the number of
11 users utilizing VoIP service through a VoIP account,
12 especially in the context of commercial accounts. For each
13 VoIP account TECB interprets the Tennessee Code Annotated
14 7-86-108(a)(1)(B)(6) as imposing the emergency telephone
15 service charge on all circuits or capacity by which the
16 account may simultaneously transmit a telephone call to a
17 public safety answering point which otherwise may be
18 understood to be the accounts concurrent call volume or the
19 accounts capacity for making simultaneous calls. One service
20 charge should be assessed on each such circuit or capacity for
21 each account.

22 MS. QUESTELL: I would like to
23 interject that this policy is consist with the law, which
24 defines the VoIP and emerging technologies as being able to
25 access 911. And it's also consistent with our policy on PIs

1 and PRIs. And -- I mean, it's what capacity can contact 911.

2 CHAIR PORTER: Okay. You've heard the
3 recommendation from Staff that we adopt Policy No. 39. What's
4 the will of the Board?

5 MEMBER COBB: So moved.

6 CHAIR PORTER: I have a motion by
7 Ms. Cobb. Do I have a second?

8 MR. TAYLOR: Second.

9 CHAIR PORTER: Second by Mr. Taylor.
10 Discussion.

11 (Pause)

12 CHAIR PORTER: Hearing none, all in
13 favor say "aye."

14 THE BOARD: Aye.

15 CHAIR PORTER: All opposed, like sign.

16 (Pause)

17 CHAIR PORTER: Motion carries.

18 Next item is to consider eliminating
19 the requirement that both ECD directors and Chairs appear for
20 deliberations on applications to extend rate increases that
21 expire June 30, 2006, which are receiving expedited
22 treatment.

23 MS. QUESTELL: Just real quick, today
24 will be the real -- first time we are really rolling out this
25 expedited treatment that the Board voted on to handle all the

1 20 -- over the 20 rate increase extensions for the rates that
2 expired on June 30, 2006. And since this is an expedited
3 treatment, and since the explanation for the request for
4 extension will be coming from Rex and Don rather than from any
5 kind of district people and it will be expedited and much
6 shorter, the only reason that you would really need to have a
7 representative from the districts is so that they could answer
8 your questions. And it just seems that to have to require
9 both the Chairman and the Director to be there to answer
10 questions, that's just kind of a waste of their resources. So
11 that's why we would ask that you just eliminate the
12 requirement that both appear.

13 CHAIR PORTER: We've heard the request
14 from Staff that we consider eliminating the requirement that
15 both of them appear. What's the will of the Board?

16 MEMBER LOWRY: Move to accept.

17 MEMBER RICH: Second.

18 CHAIR PORTER: I have a motion by
19 Mr. Lowry and a second by Mr. Rich that we approve the
20 request. Is there a discussion?

21 MEMBER BILBREY: We need to emphasis
22 that somebody needs to be here that can answer questions and
23 that has some sort of authority; because if we don't have,
24 then we can't do anything with it.

25 CHAIR PORTER: All right. Yeah, I

1 agree. I think it's going to be up to each individual
2 district to pick out who they think is going to be the best
3 person to send, at least have one of them here. That's a good
4 point.

5 Other discussion?

6 (Pause)

7 CHAIR PORTER: Hearing none, all in
8 favor say "aye."

9 THE BOARD: Aye.

10 CHAIR PORTER: All opposed, like sign.

11 (Pause)

12 CHAIR PORTER: Motion carries.

13 Next item is to consider Attorney

14 General Opinion finding a conflict of interest when
15 individuals with authority to appoint members to ECD boards of
16 directors appoint themselves to ECD boards and whether to
17 request review of such appointments during audits.

18 Lynn, do you want to talk?

19 MS. QUESTELL: This is mainly on here
20 because I wanted to draw folks attention to it. I think this
21 is an issue that will be looked at by the auditors. And I
22 wanted to make sure that everyone understood how it worked.
23 And I wanted to get the Board's permission to contact County
24 Audit and discuss this with them.

25 The bottom line is that there's a

1 general principle that basically applies throughout
2 government, which is that it's contrary to public policy to
3 permit an officer having appointing power to use such power as
4 a means of conferring an office upon himself or to permit an
5 appoint body to appointed one of its own members.

6 This is all about districts where the
7 County Mayor has the power to appoint people to the Board of
8 Directors and they appoint themselves. In most cases it's
9 okay for the County Mayor -- well, if the County Mayors are
10 doing the appointing, it's fine to appoint County
11 Commissioners, because all they do is confirm. But you just
12 can't appoint yourself to a Board of Directors if you're a
13 county mayor.

14 If you've got an interlocal agreement
15 where the appointment of people to the Board of Directors is
16 negotiated, that's fine. It's just in situations where you're
17 appointing yourself.

18 And also just as a matter of
19 information for the County Commissioners, if you are appointed
20 to an ECD Board of Directors, you should not be voting to
21 confirm yourself, that's a conflict of interest, too.

22 Anyway, this was basically -- I'll talk
23 more about that at the TENA conference. But I just wanted to
24 help people avoid audit findings. So I guess what I'm asking
25 is for the Board's amen on us contacting county audit about

1 this issue.

2 CHAIR PORTER: You heard the request
3 from Staff that they would like our authorization to take this
4 issue to the County Audit. What's the will of the Board?

5 MEMBER LOWRY: I move to accept their
6 recommendation.

7 MEMBER COBB: Second.

8 CHAIR PORTER: We have a motion by
9 Mr. Lowry and a second by Ms. Cobb allowing Staff to do that.
10 Is there discussion?

11 MEMBER LOWRY: On the discussion side,
12 I know we have a number of county mayors across the states
13 that sit on boards -- on the 911 boards. And I guess the
14 question that we are really going to have to get the word out
15 on is that they have to have this agreement -- interlocal
16 agreement -- in order to do that. And probably we're going to
17 find that most of them do not.

18 CHAIR PORTER: I think you're right.
19 From visiting most of the counties, I've seen a lot of them
20 that have sit on the Board that are self-appointed.

21 MEMBER LOWRY: A workshop would be
22 good, I guess. Or maybe if the Staff would just put out
23 letter on this, you know, to all Chairs and Chairmans.

24 MS. QUESTELL: We'll do both. Thank
25 you.

1 CHAIR PORTER: And if they do sit on
2 that board, would they need to resign before their term comes
3 up and appoint someone else, or would they wait until the end
4 of their term and then if they don't have these interlocal
5 agreements --

6 MS. QUESTELL: Ideally what they would
7 do is create an interlocal agreement that would fix it. But I
8 think that it creates problems to have county mayors on Boards
9 of Directors when their appointment would be a conflict. And
10 I want to make sure everyone knows that this basic principle
11 about the conflict is from a Supreme Court case. So it's not
12 like it's just the Attorney General, whose opinions would not
13 be binding on non-state people, he's just another lawyer to
14 the State -- but he's a State lawyer and we have to follow
15 it -- but this is from a Supreme Court case, and it's an issue
16 that has not been talked about enough. And I think that we do
17 see Boards of Directors that have people on there that are
18 conflicted out.

19 CHAIR PORTER: Other discussion?

20 (Pause)

21 CHAIR PORTER: Hearing none, all in
22 favor say "aye."

23 THE BOARD: Aye.

24 CHAIR PORTER: All opposed, like sign.

25 (Pause)

1 CHAIR PORTER: Motion carried.

2 Next item. Here's the one we've all
3 been waiting for: Consider electing a Chair and a Vice-Chair
4 for the Board. As you all know, the Vice-Chair's position --
5 Ms. Wanda was not reappointed and that position is open.

6 Also, the Chair and Vice-Chair are for two-year terms. Two
7 years went by real quick, and we need to have an election.

8 And let me say that I've enjoyed
9 serving as chair now for four, five, six -- I don't know, it's
10 been so much fun I just lost count. But I won't cry if you
11 all don't want me back. So the floor is open, first, for
12 nominations for Chair.

13 MEMBER TAYLOR: Mr. Chairman?

14 CHAIR PORTER: Mr. Mike?

15 MEMBER TAYLOR: I would like to place a
16 nomination in the name of Randy Porter for Chair. And if it's
17 agreeable to the Board, I would like to make the motion that
18 the nomination be ceased and be elected by acclamation.

19 CHAIR PORTER: I have a motion. Do I
20 have a second?

21 MEMBER COBB: Second.

22 CHAIR PORTER: I have a motion by
23 Mr. Taylor and a second by Ms. Cobb that I will be reappointed
24 as Chair and that the nomination cease as me being elected by
25 acclamation. In is there a discussion?

1 (Pause)

2 CHAIR PORTER: Come on guys, other
3 nominations.

4 MEMBER SMITH: I think you should serve
5 until you get the job right.

6 CHAIR PORTER: That may never happen.
7 I do appreciate it. Thank you, Mike.
8 No discussion, all in favor say "aye."

9 THE BOARD: Aye.

10 CHAIR PORTER: All opposed, like sign.

11 (Pause)

12 CHAIR PORTER: Motion carried. I have
13 enjoyed it, I'd like to say. And I hope that I've done a job
14 that's been pleasing to you all and that we can continue to
15 move forward in the next years, as we have in the past
16 several. I think the Board has done a great job. We have
17 come a long way, and hopefully we will continue in that
18 matter. And I will do everything I can to keep us moving.

19 And the next item is for Vice-Chair,
20 and the floor is open for nomination.

21 MEMBER RICH: Mr. Chairman, I'd
22 like to place a nomination for the gentleman to my left,
23 Mr. Ike Lowry, for Vice-Chair.

24 CHAIR PORTER: I have a motion for
25 Mr. Ike Lowry. Do I have a second?

1 MEMBER TAYLOR: Second.

2 CHAIR PORTER: Okay. I have a motion

3 and a second for Mr. Lowry. Do I have any other nominations?

4 (Pause)

5 CHAIR PORTER: Do I have a motion that

6 we would cease nominations and elect him by acclamation?

7 MEMBER COBB: So moved.

8 CHAIR PORTER: By Ms. Cobb. Do I have

9 a second?

10 MEMBER TAYLOR: Second.

11 CHAIR PORTER: Second by Mr. Taylor.

12 Is there any discussion?

13 (Pause)

14 CHAIR PORTER: All in favor say "aye."

15 THE BOARD: Aye.

16 CHAIR PORTER: All opposed, like sign.

17 (Pause)

18 CHAIR PORTER: Motion carried.

19 Mr. Ike, we have a place for you next

20 time we're here.

21 Next item on the agenda is to consider

22 results of feasibility study on implementing NG-911.

23 Leon, you all want to come up.

24 And, Lynn, do you have anything you

25 want to say first?

1 MS. QUESTELL: I'll key it up, sure.
2 Just for the record, as you all may know, last April the Board
3 commissioned Kimball and Associates to undertake a study to
4 determine the feasibility of modernizing Tennessee's 911
5 infrastructure to an IP-based platform. I think everyone
6 recognizes -- as TENA has said -- that there is an urgent need
7 for change. Because the current 911 infrastructure -- at
8 least parts of it -- are built on a 30-year-old analog
9 technology that was simply not built to receive calls and data
10 from some of the new emerging technology.

11 I would like to thank Kimball and
12 Associates for their work on this. The Chairman and Staff
13 have met with the authors of this study several times. And
14 Rex and I have talked with them weekly to keep up with the
15 progress of this study, it's complete. And copies are
16 available right up hear, and we will post them on the website.
17 And Joel Mccamley and Leon Agnew of Kimball and Associates are
18 here to summarize the study for you.

19 CHAIR PORTER: Leon, would you state
20 your name for the record first, before we get started.

21 MR. AGNEW: Leon Agnew with L. Robert
22 Kimball and Associates.

23 CHAIR PORTER: And we appreciate you
24 being with us this morning.

25 And Leon's going to give us a brief

1 presentation on the study and what they've come up with so
2 far.

3 MR. AGNEW: Good morning, Chairman
4 Porter, Members of the Board, and Staff. Several months ago
5 Kimball was provided the opportunity to address this Board and
6 discuss the features and benefits of an IP-enabled 911 network
7 that's more commonly referred to as a next-generation 911
8 system. In April of this year, you commissioned us to
9 determine the feasibility of implementing such a system here
10 in the state of Tennessee. It's my pleasure this morning to
11 highlight the findings of that study.

12 Last week each of you was provided with
13 the written report detailing the findings of the
14 recommendations of what to do next. I trust you all had an
15 opportunity to read the report and found it to be informative.
16 What I would like to do this morning is to basically summarize
17 the key points found within the report and then answer any
18 questions that you may have.

19 On page 3 of the report is the ultimate
20 question of why. Why should you entertain the thought of
21 moving your 911 practice to another type of system. First --
22 and very important -- is an IP network will fulfill the goals
23 and objectives that were set forth by this Board, and
24 establishes the reasons to consider a next-generation 911
25 system. 911 systems in the state of Tennessee, today, were

1 provide that means to achieve these goals. The benefits you
2 will derive from the IP network will include: faster call
3 setup times; parity of service; calls will be delivered to
4 PSAPs faster; data will be delivered to your PSAPs faster; a
5 standardized network will be in place.

6 Other jurisdictions are paving the way
7 for others to follow. There are seven other entities that
8 have previously made their decision to move in this direction,
9 and each has some form of next-generation 911 system up and
10 operating today.

11 Coinciding with that are three states
12 that are currently at the same crossroad that you are. The
13 states are Missouri, Delaware, and Maryland are all currently
14 actively engaged in the feasibility study. It should give
15 you some comfort to know that there is nationwide support for
16 this effort. PSAPs all across the country -- and here in the
17 state of Tennessee -- are very supportive of this concept.
18 Wireless carriers are very supportive of this concept of
19 next- generation 911. They stand to realize substantial cost
20 savings by migrating off of the current networks they're
21 operating on now, onto an IP network. VoIP providers are very
22 supportive of this concept. The mere essence of their
23 existence is IP. And it's very important to know that there
24 is a Federal initiative under way right now with the
25 Department of Transportation on the Federal level that

1 supports IP systems nationwide.

2 The state of Tennessee has choices in
3 this endeavor, because there is no one standard solution. You
4 are going to be provided with choices in pricing; choices in
5 solutions; choices in implementation times, various stages of
6 implementation that you will utilize. And you're going to
7 have choices in what level of involvement and oversight Staff
8 has with the solution that is chosen. You can adopt a
9 hands-on or a hands-off approach.

10 Some of the stages of implementation
11 are going to provide you the opportunity to proceed at your
12 own pace in this endeavor. There are no time limits. There
13 are no due dates that are going to be imposed on the Staff or
14 the Board. You can start slow and take a period of years, as
15 you would like to achieve your results; or you can go full
16 throttle and do a full state implementation in the shortest
17 amount of time. The fact is that there are multiple stages of
18 an implementation.

19 There are specific benchmarks -- lines
20 in the sand, if you will -- that have to be achieved as you
21 progress to point A, to point B, to point C. At any point, or
22 at any of these benchmarks, when they are achieved, you have
23 the opportunity to stop, sit back and regroup, realize the
24 benefits of what the particular stage of the implementation
25 will deliver to you before proceeding to the next step. That

1 will end very well for the ability for cost control.

2 The goals of this Board outlined in
3 Section 1.1.2 are achievable through a migration to an
4 IP-enabled 911 system. The elements required to provide such
5 a network are found to be available in Tennessee from a
6 variety of different sources. There will likely be a few
7 barriers to navigate you on the way. Pages 28 through 30
8 detail some of the more common and known obstacles to an
9 implementation that the other seven previously mentioned
10 entities have experienced.

11 It's important to note that there is
12 public expectation that the 911 is available to the public
13 anytime, from anywhere, and from any device. An IP network
14 transporting 911 calls will serve as the backbone for meeting
15 that expectation.

16 The information you have been provided
17 is a snapshot in time of what you have in place in today. The
18 features and benefits have all been highlighted.
19 Justification for your investment has been noted. Options --
20 as far as solutions and implementation plans -- have been
21 detailed, and barriers have been identified. There now
22 remains only two questions left to answer, which solution
23 should you choose, and how much will it cost.

24 As a result of the findings of the
25 study, Kimball is going to recommend that an RFP or other

1 device mechanism be distributed to answer the final two
2 questions and determine which 911 infrastructure could be
3 implemented in the state of Tennessee. And I will now answer
4 any questions that you may have.

5 CHAIR PORTER: Board members, do you
6 have any questions for Leon?

7 (Pause)

8 CHAIR PORTER: I don't think so, Leon.
9 Good job.

10 MR. AGNEW: Thank you.

11 MEMBER LOWRY: The states that you've
12 got implementing in -- or are at least heading that way --
13 were there any major problems implementing in the landline
14 that's already there with the VoIP and wireless providers?

15 MR. AGNEW: Wireless and VoIP, no. The
16 most common obstacle in an implementation that we're seeing
17 around the country is with the LEC. Some LECs are cooperative
18 and see this as a new revenue source, new markets for them to
19 explore. And others are seeing it as a direct slap in the
20 face to the way the old 911 system has always worked. And
21 they don't want to give up there carriers and unbundle them
22 and drop the charges.

23 MEMBER LOWRY: What about from the
24 technological side of it.

25 MR. AGNEW: Oh, yes. Basically what

1 you are doing is moving your traffic. There's a network of
2 networks, systems in place here in Tennessee -- BellSouth
3 citizens -- and they have their own networks. And what you're
4 basically doing with a solution such as this is, is migrating
5 that traffic off of an analog circuit-switch telephone network
6 over onto a data-transport or IP network. There are no
7 obstacles in doing that. All the elements are in place today
8 to accomplish that.

9 MS. QUESTELL: I did just like to get
10 on the record -- given that whatever proposals we go with are
11 going to be specific to whatever company -- just a ballpark
12 estimate like of the cost of the first phase of the process.
13 Which I would define as moving the VoIP and wireless to the IP
14 platform. Can you kind of give us a very general ballpark
15 estimate?

16 MR. AGNEW: I'm going to turn that
17 question over to Joel, since he's more in tune to that aspect
18 of it.

19 MR. MCCAMLEY: Joel Mccamley from
20 Robert Kimball and Associates.

21 Director, the answer to that question
22 gets a little dicey. But I would say that other states --
23 regardless of whether you're doing VoIP or wireless as the
24 initial stage, you still have to have that initial network
25 billed out. So that initial stage will probably be -- or

1 would incur the most cost from an up-front capital cost. A
2 similar network that's doing what you're talking about, taking
3 it just to the wireless stage, would be like the state of
4 Indiana -- geographically you're a little different -- but
5 that overall system is going to probably cost them about \$6
6 million. That has been incurred over about a three-year time
7 period, from various points. And that's pretty much a
8 nonrecurring cost. Recurring costs for that system are really
9 starting to come on and will transition into recurring or
10 monthly recurring.

11 MS. QUESTELL: Can you give us an
12 estimate of their monthly recurring cost?

13 MR. MCCAMLEY: Their monthly recurring
14 costs -- once the system is in the full mode and implemented,
15 it will be about \$300,000 a month. At least that's the
16 estimate at this point in time. Right now it's running about
17 120,000 to \$150,000 a month.

18 MS. QUESTELL: Thank you.

19 MR. MCCAMLEY: You're welcome.

20 CHAIR PORTER: Rex.

21 MR. HOLLAWAY: Randy, I just want to
22 point out, as most of you probably know, we're nowhere near
23 where we need to be with VoIP as far as delivery of the call
24 and the address information. And it's very much an evolving
25 technology right now.

1 I was at a meeting last week where a
2 lot of the work committees were meeting at and standards are
3 still in the process of being written that will allow various
4 hardware manufacturers, premiss equipment manufacturers,
5 routing system manufacturers, system overseers, and all those
6 folks to work together to put that VoIP telephone to the
7 appropriate PSAP. So there's a lot of answers that haven't
8 been discovered yet. And so we will see that occurring over
9 the next year or so.

10 CHAIR PORTER: I think one of the other
11 points, too, Rex, that the districts need to be aware of is,
12 that once we start migrating and moving to this new network,
13 it's basically shifting a lot of the cost of that network to
14 the ECD and away from the districts, which is going to free up
15 more money on the district level for them to do other things
16 with. It's kind of like the old adage, we'll be paying the
17 phone bill instead of them. So, I mean, I think that's very
18 positive.

19 But we all know that this network --
20 for all of us that's been around several years in 911 -- this
21 network is -- it's very old. It did its job for a lot of
22 years. But we all know if we had something like this
23 antiquated in our own PSAPs today -- as far as our local
24 networks go and stuff -- we would have replaced it years ago.
25 So I think it's time we look at this and start moving towards

1 the future. And that's one thing this Board has always been
2 great about, is staying ahead of the game and not being afraid
3 to jump out there and do things that we need to do and be
4 leader in some of these areas. So I hope that we will give
5 this some major consideration.

6 MR. AGNEW: Well, I want to encourage
7 PSAPs and districts, alike, to be sure and be cautious about
8 what they buy in the future because of the fact, as these
9 standards evolve, we want to make sure -- and that's one of
10 first things we need to be doing, is telling the districts
11 what their interface is going to look like so they can begin
12 to tell their vendors we are not going to be buying this
13 system unless it has this capability or the capability of
14 being updated.

15 CHAIR PORTER: Other discussion?

16 MEMBER TAYLOR: Mr. Chair?

17 CHAIR PORTER: Mr. Taylor.

18 MEMBER TAYLOR: Has anyone talked to
19 TBI about the security of the system. And if there's going to
20 be glitches later on down the road about interfacing with
21 them. They're real strict about security.

22 CHAIR PORTER: We met with Homeland
23 Security and they were very interested in it. You know TBI
24 already has its network across the state now with NCIC and
25 everything. I think, in the beginning, you wouldn't change

1 that, let that network stay in place. But I think that once
2 we get our network in place, the security would be the same or
3 better than what they're using now. And they could be able to
4 come in and backbone off of it. But I don't think -- we've
5 haven't gotten to that point, to the point of talking to TBI
6 yet.

7 MR. AGNEW: One of the more attractive
8 features of a design such as this, is the ability that other
9 agencies with similar interest can all share.

10 CHAIR PORTER: We see this as a thing
11 that if we're right, TBI, NCIC, and all that stuff, Homeland
12 Security -- everybody getting on board and being able to share
13 the network. Because it will be -- once we put it in, the
14 bandwidth will be almost unlimited and you can do a lot of
15 things. We would only be using a small portion of it. So it
16 might open up a lot of things that we could do. If we wanted
17 to share data statewide with each other, we could. It would
18 open that up. There's an amount of good things I think that
19 could happen from it.

20 And you all did a great job on the
21 study. I met with them a couple of times and we had some long
22 meetings and they did a lot of work. And you all did a great
23 job. And I think you all should be applauded for the jobs
24 that you did with it.

25 MR. AGNEW: I just want to add to that,

1 we have a lot of resource information that's going to be
2 helpful to us in other areas, as well.

3 CHAIR PORTER: Any other questions of
4 Leon?

5 (Pause)

6 CHAIR PORTER: Thank you. Appreciate
7 it.

8 Let me say first, before we go any
9 further, that someone came in the room and didn't go through
10 the little picture taking process that's outside. If you're
11 that person, would you please get back up and go back outside
12 and get your picture took and your ID badge. If you don't,
13 security is going to come in and clear the room and make us
14 all come back in again. Is there somebody that forgot to get
15 their picture took?

16 (Pause)

17 CHAIR PORTER: Let the record show that
18 that was Mr. Steve Smith, a member of the board; newly elected
19 member of the board.

20 Lynn, I guess the actual motion that
21 we're going to need to do on this is -- it may need to be
22 reworded a little bit from what we originally thought. Do you
23 want to talk a little about the difference in a RFP and RFI
24 and stuff?

25 MS. QUESTELL: Right now we are just

1 discussing procedure. I think we would ask the Board to
2 authorize Staff to proceed with this project, but not specify
3 whether it would be an RFP or an RFI. Because Tennessee has
4 very specific rules about the perimeters of RFPs. So we would
5 like to be able to have the freedom to confer with the Office
6 of Contractor Review and let them help us decide whether it
7 would be an RFP or an RFI that we would proceed with first.
8 But what we are wanting to do is to make sure that we have
9 enough information on the platform that would be best for
10 Tennessee and the proposals that people would offer to us, for
11 Tennessee specifically. Maybe we can do that through an RFP
12 process, but it may be that an RFI would work out better.

13 CHAIR PORTER: Do we need to wait on
14 Steve or can we have a quorum without him?

15 MS. QUESTELL: Counsel recommends that
16 we wait on Steve.

17 CHAIR PORTER: Okay. Everyone just sit
18 and talk among yourselves until Steve gets his picture took.

19 Sorry, Steve, I didn't know it was you.

20 Steve was trying to get in to keep from
21 delaying the meeting this morning and got caught.

22 You've heard the recommendation from
23 Staff that we proceed with either doing an RFP or RFI or
24 whatever needs to be done to proceed with this process of looking
25 at the NG-911. What's the will of the Board?

1 MEMBER LOWRY: I think I move that we
2 allow the Staff to proceed on with the RFP or the RFI -- or
3 whatever they need -- to come back to us to ask at the next
4 meeting so that we can keep the ball rolling and don't have to
5 stop at this point.

6 CHAIR PORTER: That's good. I have a
7 motion made by Mr. Lowry. Do I have a second?

8 MEMBER FEATHERS: Second.

9 CHAIR PORTER: Second by Ms. Feathers
10 that we proceed with the NG-911 project. Any discussion?

11 (Pause)

12 MEMBER LOWRY: Is that what you all
13 need?

14 MS. QUESTELL: Yeah.

15 MS. REED: Could you just clarify what
16 you were saying about coming back at the next meeting?

17 MEMBER LOWRY: I was saying at the next
18 meeting, if you all need to ask us to do something else we
19 can, but there's no reason in stopping the process between now
20 and then.

21 MS. REED: So what you're voting on is
22 to recommend that we actually go forward with the process --

23 MEMBER LOWRY: Yes.

24 MS. REED: -- and that if we need more,
25 we can come back to you all?

1 MEMBER LOWRY: Yes.

2 CHAIR PORTER: Any discussion?

3 (Pause)

4 CHAIR PORTER: Hearing none, all in
5 favor say "aye."

6 THE BOARD: Aye.

7 CHAIR PORTER: All opposed, like sign.

8 (Pause)

9 CHAIR PORTER: Motion carried. I think
10 that will be a great thing for Tennessee once we get going
11 with this.

12 The next five items are to consider
13 extensions. We've got about five items there, does anybody
14 need a break?

15 (Pause)

16 CHAIR PORTER: We will take about a
17 five or ten-minute break. And I think we'll be able to finish
18 up pretty quick.

19 (Break in proceedings.)

20 CHAIR PORTER: Okay. We will come back
21 to order.

22 After discussing with counsel, I think
23 we need to go back to the NG-911 motion and get some
24 clarification as to, actually, what we voted on.

25 MS. REED: I think the understanding

1 that many of us took from it -- and I think what might be
2 implicated on the record -- is that the vote was for the Staff
3 to go forward with the RFP or RFP. And I think only to come
4 back to the Board, if we had further issues that we need to
5 address. And I'm not sure that that's what was intended. And
6 maybe if Mr. Lowry, who made the motion, would specify whether
7 that's what he intended.

8 MEMBER LOWRY: What I thought that I
9 had made the motion to was to proceed with figuring out
10 whether Staff or the State decided that we needed to go RFP or
11 RFI. But probably, I also think before issue of the RFP that
12 the Board would want to know what the amount is going to be
13 that we're issuing the RFP for.

14 MS. REED: I don't know that we will
15 know the dollar amount of the RFP. I think we will just be
16 issuing an RFP saying this is the solution, and then they will
17 come back to us with prices. But the problem is that we would
18 not -- I think there's only like a 24-hour period allowed by
19 the State to analyze the prices of the bids. So we would have
20 a process where we could be analyzing the technical
21 specifications, but then we would have like 24-hours to like
22 open the prices and then award the bid. So the problem
23 becomes that there's not an opportunity once we see the prices
24 to come back to the Board.

25 MEMBER BILBREY: That's another reason

1 we'd like to have some information as to what direction we are
2 going in before we actually go out and procure a solution.
3 And in that procuring process, you're right, we have
4 technical -- we have several things that we have to include in
5 order to --

6 CHAIR PORTER: Pull your mic down so we
7 can hear you.

8 MEMBER BILBREY: And it has to be
9 evaluated, and then we open the cost, as you say. But it
10 creates a problem. And that's the reason we say we need to
11 determine what instrument we need to use to get the
12 information before we go for the procurement. An RFP is for
13 procuring and signing a contract. And I think the Board
14 really wants to know where we are and what we're doing before
15 any procurement or contract is signed.

16 MS. REED: And I think in terms of the
17 money, the only thing we will be able to do -- because of the
18 RFP process -- is that you all will be able to vote on
19 recognizing that it could cost, you know, a certain dollar
20 range. And I know, like Kimball was saying today, it was 6
21 million in Indiana and then 350,000 or 300,000 monthly
22 recurring. And in their report they said that this initial
23 phase could cost between 8 and 15 million. There's never
24 going to be a time when we have: This is the price we're
25 going to offer to you, do you want to do it? Yes or no.

1 We only have a 24-hour period. We
2 could have some of the board members on the evaluation
3 committee, but not the whole board. There wouldn't be a way
4 to have the whole board --

5 MS. QUESTELL: But would it be possible
6 to keep the Board apprised of the progress and if they --

7 MS. REED: We'll only have 24 hours in
8 the process.

9 MEMBER BILBREY: Well, you have to do
10 it relatively quick. When you're going through the process,
11 you'll sign points to qualification and technical things and
12 all the things you need for making the decision. And you
13 select -- or actually come up with the number of points for
14 each one of the vendors. At that point and you're through
15 with the technical, and then you open up the cost from there.
16 And then you have a formula to calculate the points for the
17 cost that you add to the technical, and then you will come out
18 to the winner.

19 Now, you're talking about whether or
20 not you want to proceed or not proceed, at that point you need
21 a good reason for not procuring, if you're going for a
22 contract. And that was the reason I say you need to talk to
23 OCR before you go through that process. But I think -- there
24 seems to be sort of something missing, in that we need to know
25 what direction we're going, technically, before we go with an

1 RFP.

2 Because a RFP is used to procure your
3 services, and it's sort of hard. You can come up with a
4 proposal; it could be sort of varied. But you need to be sort
5 of specific in what direction you're going, otherwise you're
6 going to have a hard time with the evaluation. And then
7 you're open to protest. And we don't want to get into the
8 protest situation, if we can help it.

9 That's the reason I say we need to talk
10 with OCR's people before we go to that direction.

11 But still, do we have enough
12 information, at this point, to make a recommendation as to how
13 you write up what your scope is and what you're going after?
14 I guess that's what we're asking. And what I'm asking. And
15 what I read in the report, I don't believe we do have.

16 MS. QUESTELL: It's my understanding
17 that it's Kimball that actually did the RFP for Indiana and
18 would be assisting with that. And I'm sure that they would
19 have scope, and such as that, available to help us. They were
20 the ones that -- I had initially thought that we would go with
21 an RFI, for the same reasons that you're bringing up. But
22 they recommended, as you know in the report, going with an
23 RFP. Because they found in Indiana that the RFI process just
24 kind of wasted time. On the other hand, I don't think they
25 have any idea about the ins and outs of the Tennessee

1 procedure.

2 MEMBER BILBREY: That's right. Indiana
3 and Tennessee are two different places, as far as RFPs are
4 concerned. And I don't know how they do it in Indiana, but I
5 do know how we do it in Tennessee.

6 MS. QUESTELL: Yes, sir.
7 How about that we will proceed and
8 report at the next meeting whether we have determined that it
9 would be most productive to pursue an RFP or an RFI.

10 MR. HOLLAWAY: I don't know if this
11 will help any, Lynn, but, you know, there's a lot of work that
12 still has to be done to develop a -- kind of a specification
13 functionality. So whether we go with an idea of okay, we're
14 looking for a design or a plan to gear specifics that we want
15 to have addressed and the price form, we can still move ahead
16 as far as with what Kimball is doing. And we still have a
17 little time as to exactly how, I think, with the time the
18 document goes out.

19 MS. QUESTELL: That sounds like a good
20 idea, to move forward. And we will be definitely researching
21 which process to use. Whether we can report back by
22 October 31st remains to be seen.

23 CHAIR PORTER: Okay.

24 MR. HOLLAWAY: Let me just add -- of
25 course I know you all know this -- we're not bound like, you

1 know, where there's standards and specs that have existed for
2 a long time. The next generation of 911 is still evolving,
3 and we will still find things, as we go, that we will discover
4 during the process of getting proposals.

5 MEMBER LOWRY: Is Counsel okay with the
6 way the motion is, or do we need to restate it?

7 MS. REED: Well, I'm concerned what was
8 voted on on the record was not clear. So I think that the way
9 the motion was stated originally and was voted on was that we
10 would move forward with the RFP. What I'm hearing now is that
11 we are not to move forward with issuing an RFP until we come
12 back to the Board. Is that where everyone is?

13 MEMBER LOWRY: If I need to change the
14 motion, I can, or withdraw it.

15 MEMBER BILBREY: With you talking about
16 going out for a proposal, you are pretty wide open, I think.
17 And there's limitations on what we can do there.

18 Keep in mind the protest. You've got
19 to know how you're going to evaluate this and all. So I would
20 suggest that you really -- I guess just take what you know at
21 this point and still sit down and talk to OCR and see if we
22 can come up with a way that we can logically evaluate what
23 your potential scope is going to be. And if you can, we can
24 go with it. But we'll have to go through a contract.

25 But if we can't come up with a way to

1 evaluate one vendor versus another, even though the solutions
2 may be 180 degrees apart -- I don't know -- but when you get
3 into that, then you get into a situation where you could have
4 one vendor that very easily starts protesting somebody else's
5 solution. And you've got to have a means and method to say
6 this is absolutely the best way to go. And if you can come up
7 with all those answers, then I think it's probably okay. But
8 we need to look at that. Because what I've seen so far, I
9 don't think we've got that.

10 CHAIR PORTER: Charles, can you clarify
11 what OCR is, for the record.

12 MEMBER BILBREY: Of course. Office of
13 Contract Review.

14 MS. QUESTELL: I guess the big question
15 is, before we move ahead with an RFP -- actually issuing it --
16 do you actually want us to come back and have the Board vote
17 on that at a future meeting?

18 MEMBER LOWRY: If the RFP involves
19 money.

20 MS. QUESTELL: And it does.

21 MEMBER BILBREY: It does. The end
22 product of an RFP is supposed to be a contract.

23 CHAIR PORTER: The problem is, Ike,
24 you're not going to know how much money it is until that RFP
25 is put out and you get the bids back in? I mean, you've got

1 estimates in your study here as to what it's going to be.

2 MEMBER LOWRY: That's what I'm sitting
3 here wondering. How do we accomplish this?

4 CHAIR PORTER: So I guess what my
5 question is, is bringing it back to the Board before we issue
6 an RFP or an RFI, what is that going to accomplish. I mean,
7 you're still not going -- I mean, I would hope we leave it up
8 to Staff to make that decision. Let Staff make an educated
9 decision once they get to the point that they feel comfortable
10 with that.

11 And I like the idea of putting a couple
12 of the board members on the review of the RFP -- that we all
13 trust. That way, if they feel comfortable with it, you know
14 we're going to feel comfortable with it. Once we get to that
15 point. But I don't think -- you know, that's going to be a
16 long and drawn out process, and I don't think that's going to
17 be anything that's going to happen in the next two or three
18 months. This is going to take us a while before this is going
19 to happen.

20 MEMBER LOWRY: Would it make it easier
21 if we put a cap on the RFP?

22 CHAIR PORTER: Now, you could do that.

23 MEMBER BILBREY: You can do that, if
24 there's a certain amount of money you want to spend. You may
25 or may not get what you want for your money; if you don't,

1 cancel it, and you're done.

2 MEMBER TAYLOR: Should the RFP have
3 this project in stages or have one large project, or how?
4 Kimball seems to recommend that we proceed in stages. I'm
5 more comfortable with that.

6 CHAIR PORTER: Me, too. I think we're
7 looking at trying to do wireless first and get that network --
8 get everybody on that network before we ever tackle landline.
9 That will be a big undertaking.

10 MEMBER TAYLOR: Could Staff do the
11 research and talk to OCR and maybe have a recommendation by
12 the October 31st meeting?

13 CHAIR PORTER: Or at least can Kimball
14 have a cap?

15 MS. QUESTELL: We can put Kimball on
16 getting a cap. And please keep in mind that even if we don't,
17 we will keep you apprised every step of the way. It's not
18 like we are going to be working behind the scenes.

19 MEMBER LOWRY: I just want to be sure
20 we've got the technical part clear here.

21 CHAIR PORTER: Would everybody feel
22 better if we had, at least, a cap, by the October meeting?
23 That way we could see -- where we could set a cap on it and
24 see what it's going to be.

25 MS. REED: And we're not trying to be

1 evasive, please understand, we have TENA; we have the funding.
2 We have a lot between now and October 31st. And this is a
3 major undertaking to figure out whether we want to do the RFI
4 or the RFP. You know, we understood that it was going to take
5 substantial work to figure that out, and also, then to issue
6 it correctly. So I just don't see how we could fit that in
7 between now and October 31st.

8 CHAIR PORTER: Would the Board feel
9 comfortable with letting Staff move forward with this? Let
10 them decide whether to do an RFP or RFI, and then us just have
11 a cap at the October board meeting that we would decide on,
12 then to set a cap for them and then let them move forward?

13 MEMBER LOWRY: I'm fine with that.

14 MEMBER BILBREY: I suggest that we talk
15 to OCR again and make the decision from the best standpoint
16 based, I guess, on from what we've got right now. But if you
17 think you've got enough right now to do it -- you know what
18 the scope of an RFP is, you need to -- again, you need to talk
19 with Robert about what you think you're going after, based on
20 what we've got at this point, and see if there's some way we
21 can work it out; if we can't, then we need more information.

22 CHAIR PORTER: And let that be a Staff
23 decision, from that point forward, as what to do.

24 You made the motion, is that agreeable
25 to you or not?

1 MEMBER LOWRY: Yeah.

2 CHAIR PORTER: And the second was

3 Carolann.

4 Is that agreeable to you?

5 MEMBER FEATHERS: Yes.

6 CHAIR PORTER: Then I'm going to ask is

7 that agreeable to the rest of the Board, on what you voted on?

8 Is that -- I don't see any nos.

9 Carolyn, does that --

10 MS. REED: Yes. Thank you.

11 CHAIR PORTER: All right. That's a big

12 undertaking, if it took an extra five minutes to make sure we

13 were right, then we wanted to do what's right.

14 I have a request from Warren County.

15 The board Chairman down there, his wife is sick and they just

16 took her to the emergency room. I'm going to move them up on

17 the agenda to the next one. So we can go ahead and get him --

18 so that he can go ahead and get back to Warren County to see

19 about his wife.

20 So the request of a rate increase for

21 Warren County will be the next item on the agenda.

22 Folks, would you like to come up and

23 have a seat at the table.

24 These are going to be a little bit

25 different than what the original rate increases are. We are

1 going to try to expedite these as fast as possible. I'm going
2 to start out by letting Don or Rex -- whoever is going to take
3 these on -- to go through and do their little dog-and-pony
4 show. And then we'll open it up to the Board, if there are
5 any questions. And if there are no questions; we'll vote on
6 it.

7 MR. HOLLAWAY: And my part is kind of
8 sparse, that's why I'm going to go first. I'm going to give
9 you kind of the current environment of the PSAPs that are
10 involved. And then Don will spend a little bit more time on
11 the financial research. That's where the majority of your
12 discussion will be, anyway.

13 We visited Warren County on
14 August 17th. I met with the Director, Chuck Haston, to just
15 get an overview of where they stood with their equipment and
16 operations. Their original rate increase was approved back in
17 2003. It called for the upgrading of older, outdated
18 equipment; renovation of facilities; and replacement of the
19 911 controller; purchase a CAD system; and also purchase new
20 radio consoles.

21 The PSAP was in the same facility when
22 I made my visit in August. It is a secure building. And the
23 significant improvements that were addressed in the original
24 rate increase have been made.

25 And you'll see those in your

1 photographs, it shows a different dispatch area than you saw
2 in 2003. You see the systems that they now have there and the
3 system update photograph is on page 3.

4 The Director did raise a concern while
5 I was there that their critical radio computer has very
6 limited battery backup time. And they're looking to assume
7 responsibility about the system to, basically, ensure that
8 they get calls out to the responding units.

9 And another goal that the District has
10 is to expand the space on the lower level of the building and
11 get them a little more below ground to make them more
12 resistant to storms. And with that, I'll turn it over to Don.

13 MR. JOHNSON: I'm just going to go over
14 a small portion of the application that they sent in. They're
15 population is 38,276. They're a Tier III district. And the
16 rate increase they originally applied for back in May of '03
17 was \$1 for residential and \$3 for business.

18 If they -- if this rate increase was
19 rejected, they figure they would have to go through a phase --
20 which is a three-phase process. You can see it on number 8 in
21 their application.

22 The first phase would be that they
23 would seek substantial increase in allocations from the City
24 and the County Government; then they would discontinue public
25 outreach initiatives, renegotiate present comprehensive

1 maintenance and support contracts.

2 And then in the phase-two phase, they
3 would have to reduce employee health insurance benefits; then
4 freeze the salaries; and halt all capital improvement
5 projects.

6 In the third and final phase, they
7 figured that they would have to reduce the shift staffing to
8 absolute minimum levels, and then reduce the training budget.

9 As of to date, they have no
10 outstanding debt. Their subscriber customers for residential
11 is 14,865, business is 5,028. They did get some support from
12 the local and county governments. In the year 2005, they got
13 126,000 from the City and 122,500 from the County.

14 As far as their financial situation, in
15 Table 1 you can see where the change in net assets are going
16 up. They finished in 2005 as changed net assets of 68,909,
17 and they had a cash balance of \$303,940.

18 And looking at their last five audits,
19 they tend to get rid of a majority of them. They still have a
20 repeat finding of their retirement payroll, but then they said
21 that they have corrected that for 2005. They had one problem
22 or finding on supporting documentation, and I'm pretty sure
23 that was for just a few things.

24 As far as their ECB Staff Analysis,
25 which is Table 3, you will see on there that -- there should

1 be a revised form that you got before you came back from
2 break. So that's the main one.

3 They have a negative change in net
4 assets of \$351,000 in fiscal year 2005 -- this is pretty much
5 the analysis that I do from the information that they give me
6 from their three-year budget or whatever -- and the District
7 is projecting to reduce it, projecting a positive change in
8 net assets in fiscal year 2008 and 2009 in the amount of
9 17,586 and 11,699, respectively. The ending net assets for
10 the fiscal year 2009 is projected to increase to 790,444. And
11 the ending cash in fiscal year 2009 is projected at 111,888.

12 As far as receiving reimbursements and
13 grants for the District: They have received the -- at least
14 \$4,914 of the master clock. They received the \$30,000 Rural
15 Dispatcher Grant in 2005. In 2006 they received the \$50,000
16 GIS Mapping Reimbursement and the GIS Maintenance Grant.
17 Also, in 2006 they received their second \$30,000 Rural
18 Dispatch Grant, and they've submitted information for the
19 \$40,000 reimbursement, as of September the 8th, and also
20 submitted invoices for a total of \$147,976 on behalf of the
21 \$150,000 Equipment Reimbursement.

22 Of that Equipment Reimbursement, they
23 are requesting at least \$118,375 worth of it to go to their
24 computer-aided dispatch system, and the remaining excess is
25 for about 29,601 that they wanted to get for their \$40,000

1 control unit -- which their total control unit cost about
2 60,000-something, so they were still going to get the
3 remainder of that \$29,000 left of that 150, which would give
4 them a balance of \$2,024 of their \$150,000 Equipment
5 Reimbursement.

6 And that's pretty much all that I have.

7 CHAIR PORTER: Any questions from the
8 board members?

9 MEMBER BILBREY: Don, in their
10 application, in the back, number 13; number 14, neither one of
11 those -- I don't think -- has been done that I can find.
12 There's no three-year budget and there's no signing of the
13 certification. What can we do about that?

14 MR. JOHNSON: Basically, when -- that's
15 supposed to be more or less that they are working in their
16 five-year budget plan, and so, you know, I reviewed their
17 five-year budget plan and I use those numbers in Table 3 for
18 their expenditures and all.

19 MEMBER BILBREY: But does everybody
20 have that three-year budget laid out in this format? Do we
21 just --

22 MR. JOHNSON: No. It's not in this
23 one. Is that what you're talking about? I used their
24 five-year budget plan.

25 MEMBER BILBREY: I understand that.

1 MS. REED: Don, did they certify to you
2 that they were still operating in their original five-year
3 budget? Are you saying you looked at the numbers yourself and
4 you compared it and that they are operating within it?

5 MR. JOHNSON: Yes.

6 CHAIR PORTER: Other questions of Don
7 or Rex?

8 (Pause)

9 CHAIR PORTER: Thanks, guys.
10 Any questions of our representatives of
11 the District?

12 MEMBER RICH: Mr. Chair, I would go
13 ahead and accept it.

14 CHAIR PORTER: I have a motion by
15 Mr. Rich that we go ahead and approve the rate increase
16 extension. Do I have a second?

17 MEMBER LOWRY: Second.

18 CHAIR PORTER: Second by Mr. Lowry.
19 Let me be clear, we are extending these
20 for three years on everybody, right?

21 MS. QUESTELL: Yes.

22 CHAIR PORTER: Is there any discussion?

23 (Pause)

24 CHAIR PORTER: Hearing none, all in
25 favor of approving the rate extension for three years for

1 Warren County say "aye."

2 THE BOARD: Aye.

3 CHAIR PORTER: All opposed, like sign.

4 (Pause)

5 CHAIR PORTER: Motion carries.

6 Thanks, Mark. Hope everything turns

7 out okay with your wife.

8 All right. Let's go back to the

9 original agenda now. And next item is the extension of the

10 Cheatham County rate increase.

11 If you folks would come forward.

12 MR. HOLLAWAY: All right.

13 Cheatham County's original rate increase was granted in August

14 of 2003. And that original purpose involved upgrades to the

15 radio dispatching equipment, improvements within the facility,

16 and operations support.

17 I did visit the site on

18 September 12, 2006. I met with Joe Cook, and he provided

19 answers to information we needed for the technical operations

20 portion of the application.

21 They are in the same building that they

22 were in 2003, which is located in the basement of the Cheatham

23 Sherrif's Department. They have three positions. And by

24 large -- staff, two positions; and the third position is

25 mostly for overflow and training.

1 The original rate increase calls for
2 update to radio call dispatch -- as I mentioned, I think. And
3 they have accomplished those. Several systems have been
4 upgraded or replaced since their rate increase went into
5 effect, several GIS systems -- which is GeoCom -- and several
6 CPUs and work station monitors that support those systems.

7 The photos that you see on page 3 show
8 the way the dispatch and all that looked in 2003 and what it
9 currently looks like today. Not much difference in the
10 equipment room, but you can see the higher level of technology
11 in the dispatch area itself.

12 MR. JOHNSON: Population of Cheatham
13 County is 35,912. It's a Level III county. In their
14 original rate increase -- when they came before the Board on
15 August 14th -- was \$1.15 and \$2.50.

16 Looking at Table 1, on page 4, in 2005
17 the change of net assets was 90,327; their net assets were
18 527,935; and their cash and cash equivalence was 86,148.

19 Now, their last five audits, in 2005
20 they've corrected all the previous findings that they had, at
21 which they had no findings.

22 In looking at Table 3, it shows a
23 positive change in net assets of 274,087 in fiscal year '07.
24 And they haven't opted using their \$150,000 yet, but the
25 District is projected to produce a positive change in net

1 assets in fiscal year 2008 and 2009; 74,525 and 121,157.
2 Ending net assets for fiscal year 2009 is projected at an
3 increase of 968,433. And the ending cash balance is projected
4 at 530,185.

5 As Rex said, they requested them to
6 continue the restructure, to replace the telephone and radio
7 console equipment for the existing 911 facility. They expect
8 that to cost about a 189,000.

9 As of right now, Cheatham County has
10 received \$32,180.50 of the \$50,000 GIS Mapping Reimbursement
11 Grant in fiscal year 2004. And they've received \$5,000 for
12 the master clock and \$30,000 for the Rural Dispatcher Grant in
13 fiscal year 2005. In '06 they've received \$17,819.50 of the
14 remaining GIS Mapping Reimbursement, and they've also applied
15 for the \$10,000 GIS Maintenance Grant. They are eligible to
16 receive the \$40,000 Equipment Reimbursement and the \$150,000
17 Equipment Grant.

18 That's all I have.

19 CHAIR PORTER: Any questions of Don or
20 Rex for Cheatham County?

21 MS. QUESTELL: Mr. Chairman, could I
22 just make a statement?

23 CHAIR PORTER: Sure.

24 MS. QUESTELL: I really want to commend
25 you all for two specific things -- I mean, among other

1 things -- but I think it's so great that you corrected your
2 findings and had no findings this last time. And I'm
3 particularly glad that you all got the cooling system put in
4 your equipment room. That was a really big deal. And I'm
5 sure that your equipment will last a lot longer.

6 CHAIR PORTER: Hearing no questions of
7 Don or Rex, do you have any questions of the District?

8 (Pause)

9 CHAIR PORTER: If not, the floor is
10 open for a motion on the rate increase extension.

11 MEMBER TAYLOR: So moved.

12 CHAIR PORTER: I have a motion by
13 Mr. Taylor. Do I have a second?

14 MEMBER COBB: Second.

15 CHAIR PORTER: Second by Ms. Cobb that
16 we extend Cheatham County's rate increase for three years.
17 Any discussion?

18 (Pause)

19 CHAIR PORTER: Hearing none, all in
20 favor say "aye."

21 THE BOARD: Aye.

22 CHAIR PORTER: All opposed by like
23 sign.

24 (Pause)

25 CHAIR PORTER: Motion carries.

1 Thank you, gentlemen.

2 Next one is Jefferson County. Come
3 forward, please.

4 MR. HOLLAWAY: Jefferson County
5 received their rate increase in January 2003, and that purpose
6 was originally to enhance the dispatching capabilities with
7 modern technology and purchase a computer dispatch system.

8 I conducted a survey and site visit on
9 August 29th of this year. I met with Mark Reed -- a fairly
10 new director of the district -- and they occupy, again, as the
11 other districts, the same PSAP facility that was utilized in
12 2002 located within the Jefferson County Municipal Building.

13 They have three positions. The
14 call-taking/dispatching, as you can see from the photos on
15 that page, they've made some changes in the way the dispatch
16 center is laid out. Several systems have been upgraded or
17 replaced since the rate increase went into effect.

18 They replaced the old button-style work
19 stations with computer-based work stations. They've bought a
20 new re-play logging recorder. They did have substantial
21 electrical work that they did, that improved the way their UPS
22 worked and just the ability to control and distribute the
23 power in the dispatch center. I think they had some problems
24 with that in the past.

25 So those are the things they've done

1 since the original rate increase.

2 MR. JOHNSON: Okay. Jefferson County
3 has a population -- as of the 2000 census -- of the 44,294
4 they are a Level III district. Their original rate increase
5 was back on January 15, 2003, granted for \$1 residential and
6 \$3 business.

7 On page three of your other report,
8 Table 1, they kind of fluctuated in changing net assets back
9 and forth, as far as going up and down. And in 2005 they
10 began to get started with a negative change in net assets of
11 15,105.

12 As far as the last four audits, they
13 haven't had any findings at all. You know in each one of
14 those audits, they haven't had any findings, which is pretty
15 good.

16 As far as their Table 3, as you can
17 see, they have a positive change in net assets of 16,723 in
18 fiscal year 2007. That's from using their -- when I used
19 their expenditures from their three-year budget plan. And
20 also in fiscal year 2008/2009, they began to decrease with
21 those figures. I think some of them -- looking at it, you can
22 see that the salaries were increased a great deal each time
23 and also some of their operating expenditures.

24 Also, in the ending net assets of
25 fiscal year 2009, they will be decreased to 107,187, and their

1 ending cash of fiscal year 2009 will decrease to 120,057.

2 As Rex said, as far as their -- to
3 continue this rate increase they would like to purchase a new
4 Lifeline controller, and also look at a new facility or
5 another building.

6 In fiscal year 2003, Jefferson County
7 received the reimbursement for \$50,000 for the GIS Mapping.
8 In fiscal year 2006, they received a \$10,000 GIS Mapping Grant
9 and reimbursement of \$30,444 of the \$150,000 Equipment
10 Reimbursement money, with the remaining balance of \$119,556
11 left out of that \$150,000 reimbursement. They're also still
12 eligible for the PSAP master clock, and they're eligible for
13 the \$30,000 Rural Dispatcher Assistance Grant and the \$40,000
14 Controller Equipment Reimbursement.

15 And that's all I have.

16 CHAIR PORTER: Any questions of Don or
17 Rex?

18 MR. HOLLAWAY: Mr. Chair, I need to
19 make a correction here. And if you wouldn't mind, I would
20 like to ask the Director -- you're not purchasing a new
21 controller, you're actually -- could you clear that up?

22 CHAIR PORTER: State your name for the
23 record, please.

24 MR. REED: I'm Marcus Reed, Director of
25 Jefferson County. We have purchased an upgrade of the 911

1 controller. And, in fact, at your visit we were going through
2 that upgrade. That upgrade is 25,000 plus a one-time cost and
3 then reservice cost each month of like \$2,600. Today I hand
4 delivered it to Mr. Barnes to request for reimbursement for
5 the controller, the Rural Dispatcher Grant, as well as the
6 Master Clock Reimbursement.

7 MR. HOLLAWAY: I just wanted to clarify
8 that because I think I confused myself in that they already
9 replaced it, but they were actually in the process of it. So
10 the funding hadn't been given to them yet based on the
11 original fee.

12 CHAIR PORTER: Okay. Other questions
13 or any questions of the District?

14 (Pause)

15 CHAIR PORTER: Hearing none, floor is
16 open for motions on Jefferson County.

17 MEMBER COBB: So moved.

18 MEMBER TAYLOR: Second.

19 CHAIR PORTER: Motion by Ms. Cobb,
20 second by Mr. Taylor that we approve the three-year extension
21 for Jefferson County. Is there any discussion?

22 (Pause)

23 CHAIR PORTER: Hearing none, all in
24 favor say "aye."

25 THE BOARD: Aye.

1 CHAIR PORTER: All opposed by like
2 sign.

3 (Pause)

4 CHAIR PORTER: Motion carries.

5 Thank you, gentlemen.

6 Next one is Montgomery County. Is
7 there anybody here from Montgomery County?

8 (Pause)

9 CHAIR PORTER: Looks bad. Rex, have
10 you seen anybody from there this morning?

11 MR. HOLLAWAY: I was looking to see if
12 I saw Larry, but I guess he's not here.

13 MS. QUESTELL: I think we should
14 postpone it.

15 CHAIR PORTER: -- and put him on the
16 next agenda for October and try to find out why they were not
17 here.

18 Oak Ridge.

19 MR. HOLLAWAY: Mr. Chairman, Oak Ridge
20 received their last rate increase on January 15, 2003.
21 Those original rate increase purposes included dispatcher
22 salaries, benefits in equipment to service a large residential
23 area. Oak Ridge is located -- overlaps in two counties. I
24 visited the site on August 29, 2006, and met with
25 Debbie Logue (phonetic), the Director of the Emergency

1 Communications District.

2 They continue to operate in the
3 Oak Ridge police building. They've potentially made
4 enhancements to their GIS mapping systems, to the extent that
5 there's a tremendous amount of information sent out to their
6 responding vehicles now. So they are really leading the way
7 with technology throughout the state. Otherwise, most systems
8 are pretty much the way they were in 2002. Although they've
9 converted -- as most PSAPs in the last couple of years -- to
10 flat panels, which reduces heat and gives them a lot more
11 space to operate in -- in sometimes very tight working
12 conditions.

13 They do operate two positions, most of
14 the time with few exceptions, I think. Subject to the rate
15 increase, they intend to upgrade the 911 controller and the
16 telephone system, as well as purchase a backroom UPS to
17 replace the limited time under-desk UPS units that are at each
18 work station.

19 MR. JOHNSON: Oak Ridge City has a
20 population -- as of 2000 -- of 27,387. They're a Level IV
21 district. They came before the Board in January of '03. They
22 were granted a rate increase of a \$1.50 residential and \$3.00
23 business.

24 As far as the financial information in
25 their change in net assets, they kind of fluctuated also, like

1 the other districts. In 2005 they had a change in net assets
2 of 48,537 and their cash and cash equivalence was 288,625.

3 The last five-year audits -- as you can
4 see -- they have no audit findings.

5 The ECB Staff Analysis in Table 3, they
6 have projected a positive change in net assets of 296,886 in
7 the fiscal year of 2007. And they estimated to continue
8 producing a positive change in net assets in years '08 and '09
9 in the amount of 51,886 and 54,886, respectively. Ending net
10 assets for fiscal year 2009 is projected to increase to
11 813,910. And the ending cash balance of the fiscal year is
12 projected at 570,302.

13 As far as receiving money from the
14 Board, Oak Ridge City's Emergency Communications District has
15 not requested the \$50,000 Mapping Reimbursement, the \$5,000
16 PSAP master clock, the \$40,000 Controller Equipment
17 Reimbursement, and the \$150,000 Equipment Reimbursement.

18 That's all I have.

19 CHAIR PORTER: Any questions of Don or
20 Rex?

21 (Pause)

22 CHAIR PORTER: Any questions of the
23 District?

24 MEMBER BILBREY: One thing that's
25 interesting, in Oak Ridge we have almost double the number of

1 business customers as we do residential.

2 UNIDENTIFIED SPEAKER: I believe those
3 numbers should be reversed. Yes. I noticed that when I came
4 in today.

5 MEMBER BILBREY: Now, you're Oak Ridge,
6 so you have people in two counties.

7 UNIDENTIFIED SPEAKER: That's correct.

8 CHAIR PORTER: It's hard to slip
9 anything past old Charles.

10 They did that on purpose, Charles, just
11 to see if you would catch it.

12 MEMBER BILBREY: Well, my wife is from
13 Oak Ridge so --

14 CHAIR PORTER: You took special
15 attention to that, didn't you?

16 MEMBER BILBREY: Right.

17 CHAIR PORTER: Any other questions?

18 MEMBER LOWRY: I noticed when I was
19 flipping back through there -- it may be there and I just
20 missed it -- but I don't see any expended or budgeted for
21 training. Do you all not --

22 UNIDENTIFIED SPEAKER: That would be
23 funded primarily through the general funds. We do training.
24 Part of the cost for dispatching is about 270,000, plus is
25 accounted for in the general funds, which that would include

1 training and salaries and so forth. Because they're a part --
2 actually a component of the police department.

3 MR. HOLLAWAY: Mr. Chair, I just have
4 one more thing, too. As I mentioned, they're pretty well out
5 there as far as the cutting edge with their technology.
6 But I just want to -- since we're talking so much about
7 next-generation 911 these days -- especially today --
8 next-generation 911 doesn't have to stop at the dispatch
9 center. Basically they've an infrastructure in place now --
10 in the vehicles -- that basically allows that vehicle to
11 acquire the next-generation 911 network, as far as gathering
12 and sending information out. I mean, to the extent of having
13 a video-camera in there.

14 CHAIR PORTER: Yeah, that's pretty
15 neat. Any other questions?

16 (Pause)

17 CHAIR PORTER: Hear none, do I have a
18 motion on Oak Ridge on the rate extension?

19 MEMBER SMITH: So moved.

20 MEMBER COBB: Second.

21 CHAIR PORTER: I have a motion by
22 Mr. Smith and a second by Ms. Cobb that we extend Oak Ridge's
23 rate increase for three years. Is there discussion?

24 (Pause)

25 CHAIR PORTER: Hearing none, all in

1 favor say "aye."

2 THE BOARD: Aye.

3 CHAIR PORTER: All opposed, like sign.

4 (Pause)

5 CHAIR PORTER: Motion carries.

6 Thank you. We appreciate you coming
7 today.

8 That concludes our agenda for this
9 morning. Our next meeting is October the 31st at 9:00, and I
10 think -- hearing from Lynn -- we may have a full agenda
11 already stacked up.

12 Is there any announcements or anything
13 else that needs to come before the Board.

14 Ike, I don't think you would be a good
15 TENA board member if you didn't announce the TENA Conference,
16 do you?

17 MEMBER LOWRY: Well, I think everybody
18 knows about the TENA Conference. But we've got, right now, 45
19 vendors scheduled and over 400 people registered.

20 CHAIR PORTER: And the dates are --

21 MEMBER LOWRY: The first week of
22 October. We've got two TENA classes we're sponsoring this
23 year on Saturday and Sunday. And then the conference starts
24 Sunday evening and, officially, Monday morning.

25 CHAIR PORTER: Do we have enough board

1 meetings set out in advance? Did we do that last time? Are
2 we far enough out?

3 MS. QUESTELL: We're fine.

4 MEMBER TAYLOR: Chairman, while we're
5 mentioning those items, I just want to call to everyone's
6 attention -- they may already know -- but the NENA Technical
7 Development Conference -- Operational Development
8 Conference -- will be held in Nashville this coming year, in
9 January.

10 Maybe that's what you were thinking
11 about when you said January.

12 CHAIR PORTER: Maybe I was. I turn 48
13 in January, I think I was just wanting to hurry up and get
14 there.

15 Mike had a flat tire this morning and I
16 misquoted the day, so we just started off well.

17 Ike, did you want to address the Board?

18 MEMBER LOWRY: Yeah, I just wanted to
19 ask Lynn, on the VoIP letter you were going to send out, is
20 there any way you could send a copy out to each district?

21 MS. QUESTELL: I'll be happy to. We'll
22 just e-mail it.

23 CHAIR PORTER: Anything else?

24 (Pause)

25 CHAIR PORTER: I'll consider a motion

1 to adjourn.

2 MEMBER COBB: So moved.

3 MEMBER SMITH: Second.

4 CHAIR PORTER: I have a motion by

5 Ms. Cobb and a second by Mr. Smith to adjourn. All in favor

6 say "aye."

7 THE BOARD: Aye.

8 CHAIR PORTER: All opposed by like

9 sign.

10 (Pause)

11 CHAIR PORTER: Motion carries. We're

12 adjourned.

13 (End of proceedings.)

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1 ERRATA PAGE

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19 I, _____, have read the

20 foregoing transcript and herby affix my signature that same is

21 true and correct, except as noted above.

22

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24 _____

25

1 REPORTER'S CERTIFICATE

2

3 STATE OF TENNESSEE)
COUNTY OF CHEATHAM)
45 I, Courtney Cross, court reporter and notary public
6 for the State of Tennessee,7 DO HEREBY CERTIFY that the foregoing transcript of
8 the proceedings were taken on the date and place set forth in
9 the caption thereof; that the proceedings were
10 stenographically reported by me in shorthand; and the
11 foregoing proceedings constitute a true and correct transcript
12 of said proceedings to the best of my ability.13 I FURTHER CERTIFY that I am not related to any of
14 the parties named herein, nor their counsel, and have no
15 interest, financial or otherwise, in the outcome or events of
16 this action.17 IN WITNESS WHEREOF, I have hereunto affixed my
18 official signature and seal of office, this 9th day of
19 November, 2006.

20

21

22 _____
Courtney Cross, Notary Public
23 State of Tennessee at Large
24

25 My Commission Expires: December 8th, 2009.